

REMARKS

35 U.S.C. § 112 Rejection

The Examiner has rejected claim 19 under 35 U.S.C. § 112 ¶ 2 because the term "said blood vessel area" lacks antecedent basis. In response, Applicants have amended claim 19 to change the reference to the "blood vessel area" to the "aneurysm." Accordingly, the Examiner may now withdraw the remaining § 112 rejection.

Claim Rejections

The Examiner has rejected claims 1, 5, 7, 9-11 and 14-16 under 35 U.S.C. § 102(e) as being anticipated by Ritchart et al. (U.S. Patent No. 4,994,069). The Examiner has also rejected claims 1-4 and 19 under 35 U.S.C. § 103(a) as being unpatentable over McGurk et. al. (U.S. Patent No. 5,690,671). The Examiner has allowed claim 20. Applicants have carefully considered the Examiner's comments. However, it is respectfully submitted that neither Ritchart nor McGurk disclose all of the limitations of Applicants' claims.

Claims 1 and 19 both require that the wire body have a section that is "substantially straight in an unloaded condition" and a length of the section is "larger than a diameter" of either a blood vessel area or an aneurysm. (See, for example, Applicants' specification at page 11, lines 22-24, which describes one embodiment having an intermediate section 4 that is at least six times the diameter of the vessel lumen; and also Figs. 1-3.) Thus, when the wire body of Applicants' invention is deployed, the intermediate section 4 bends and collapses to criss-cross the vessel lumen a number of times (see Figs. 4-11, for example).


In contrast, Ritchart has an entirely different, non-linear structure that actually teaches away from Applicants' invention. In Ritchart, the device has "a relaxed, convoluted condition produced by a combination of a helical winding of the wire, and irregularities of the helical winding" (see, e.g., Abstract; col. 2, lines 48-51, 60-66). Similarly, McGurk discloses a filament with a nonlinear preset shape. (see, e.g., col. 4, lines 31-54; Figures 2, 7-11). Thus, there is no disclosure in either Ritchart or McGurk of a section that is substantially straight in an unloaded condition where the section is larger than the diameter of the area being treated.

The remaining claims depend from claim 1. Because claim 1 is allowable, claims 2-18 are also allowable since these claims incorporate all of the limitations of claim 1. Any further arguments that could be made at this time in support of Applicants' dependent claims would be superfluous and unnecessary. Accordingly, dependent claims 2-18 should also be allowed.

Conclusion

None of the prior art of record discloses the limitations of Applicants' claims. Specifically, the prior art does not disclose treating an area with a wire body section that is longer than a diameter of the body and which is substantially straight in an unloaded condition by crossing the area with the section. In addition, Applicants have amended claim 19 to overcome the Examiner's 35 U.S.C. § 112 rejection. Thus, Applicants' claims are now allowable. Accordingly, Applicants request reconsideration and allowance of the application.

Respectfully submitted,



Richard E. Stanley, Jr.
Registration No. 45,662
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200